

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

**320 W. 4th Street, Suite 200
Los Angeles, California 90013
(213) 576-6600**

**NOTICE OF JOINT PUBLIC HEARING
Public Notice No. 22-012**

**PROPOSED ISSUANCE OF
WASTE DISCHARGE REQUIREMENTS AND NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES) PERMIT**

DISCHARGER	FACILITY LOCATION	RECEIVING WATER
City of Los Angeles, Bureau of Sanitation (Hyperion Water Reclamation Plant)	12000 Vista del Mar Boulevard, Playa del Rey, California	Pacific Ocean

The City of Los Angeles, Bureau of Sanitation (hereinafter the City or Discharger), discharges secondary-treated wastewater from its Hyperion Water Reclamation Plant (Hyperion WRP) to the Pacific Ocean in the Santa Monica Bay, a water of the United States. The secondary-treated effluent is discharged to the Santa Monica Bay from the Hyperion WRP at Discharge Point 002 (5-Mile Outfall, Latitude 33.91197° N, Longitude 118.52145° W) and Discharge Point 001 (1-Mile Outfall, Latitude 33.91833° N, Longitude 118.44750 ° W). The City owns and operates the Hyperion WRP, a publicly-owned treatment works located at 12000 Vista del Mar Boulevard, Playa del Rey, California, with a design capacity of 450 million gallons per day. The discharge is regulated under waste discharge requirements contained in Order No. R4-2017-0045, adopted by this Regional Water Quality Control Board (Los Angeles Water Board) and the United States Environmental Protection Agency (USEPA) Region 9 on February 02, 2017. Order No. R4-2017-0045 serves as a permit under the National Pollutant Discharge Elimination System (NPDES No. CA0109991). The Discharger filed a Report of Waste Discharge (ROWD) and applied to the Los Angeles Water Board for reissuance of Waste Discharge Requirements (WDRs) and NPDES permit to discharge secondary-treated wastewater to Santa Monica Bay.

On the basis of preliminary staff review and application of lawful standards and regulations, the USEPA Region 9 and the Los Angeles Water Board tentatively propose to jointly issue consolidated waste discharge requirements and the NPDES permit under Title 40 of the Code of Federal Regulations (40 CFR) § 124.4(c)(2).

JOINT PUBLIC HEARING DATE AND LOCATION

The USEPA Region 9 and Los Angeles Water Board will hold a joint public hearing on the Tentative WDRs and NPDES permit during the regular Los Angeles Water Board meeting (Board meeting) on the following date and time and at the following location:

Date: **October 13, 2022**
Time: 9:00 a.m.
Place: Paramount City Hall
16400 Colorado Avenue
Paramount, CA 90723

A virtual platform is also available for those who want to join online. Please follow the directions provided in the agenda to register or to view the Board meeting.

Interested persons are invited to attend. At the public hearing, The USEPA Region 9 and the Los Angeles Water Board will hear any testimony pertinent to the discharge, tentative WDRs, and NPDES permit. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. Our [Web address](http://www.waterboards.ca.gov/losangeles/) is <http://www.waterboards.ca.gov/losangeles/>, where you can access the current agenda for changes in dates and locations.

AVAILABILITY OF DOCUMENTS

The Report of Waste Discharge (ROWD), other documents relied upon, tentative effluent limitations and special provisions, comments received, and other information on file are available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday by appointment at the following addresses:

Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

U.S. EPA Region 9
75 Hawthorne Street
San Francisco, California

The Tentative requirements are available on the Los Angeles Water Board's [website](https://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/) at: https://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/ under the "Individual NPDES" heading. [USEPA's website](https://www.epa.gov/aboutepa/public-notice-meetings-and-events-epas-pacific-southwest) (<https://www.epa.gov/aboutepa/public-notice-meetings-and-events-epas-pacific-southwest>) also contains information relating to this public notice and this draft NPDES permit.

The entire file (ROWD other documents relied upon, tentative effluent limitations and special provisions, comments received, and other information) will become a part of the administrative record of this proceeding, irrespective of whether individual documents are specifically referenced during the hearing. The entire file will not be present in the hearing room. Should any interested persons desire staff to bring to the hearing any documents that are not included in the agenda packet, they must submit a written or electronic request to staff during business hours, not later than five business days before the hearing. The request must identify the documents with enough specificity for staff to locate them.

NATURE OF HEARING

This will be a formal adjudicative hearing pursuant to section 648 et seq. of title 23 of the California Code of Regulations. Chapter 5 of the California Administrative Procedure Act (commencing with section 11500 of the Government Code) will not apply to this proceeding.

Ex Parte Communications Prohibited: As a quasi-adjudicative proceeding, no board member may discuss the subject of this hearing with any person, except during the public hearing itself. Any communications to the Los Angeles Water Board must be directed to staff.

COMMUNICATIONS WITH STAFF BEFORE THE HEARING

The lead staff members responsible for this item are:

Peter Kozelka

U.S. EPA Region 9

Water Division, NPDES Permits Section

kozelka.peter@epa.gov

Xiaofei Cui

320 West 4th Street, Suite 200

Los Angeles, CA 90013

xiaofei.cui@waterboards.ca.gov

PARTIES TO THE HEARING

The following are the parties to this proceeding:

City of Los Angeles, Bureau of Sanitation

Any other persons requesting party status must submit a written or electronic request to staff no later than 20 business days before the hearing. All parties will be notified if other persons are so designated.

PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE

Persons wishing to comment on, or object to, the tentative waste discharge requirements and NPDES permit, or submit evidence for the Board to consider, are invited to submit them in writing to Xiaofei Cui at xiaofei.cui@waterboards.ca.gov and/or [Peter Kozelka](mailto:kozelka.peter@epa.gov) at kozelka.peter@epa.gov. To be fully responded to and considered by the USEPA Region 9 and the Los Angeles Water Board, written comments or testimony are encouraged to be submitted by **5:00 p.m. on September 29, 2022**; however, written and oral public comments will also be accepted until the close of the public hearing to be held on **October 13, 2022**. Failure to comply with these requirements is grounds for the Los Angeles Water Board to refuse to admit the proposed written comment or exhibit into evidence pursuant to section 648.4, title 23 of the California Code of Regulations. Interested persons are invited to submit written comments concerning the tentative requirements as provided through the notification process. Comments were due either in person or by mail to the Los Angeles Water Board (320 West 4th Street, Suite 200, Los Angeles, California, 90013) or by [email](#) to

losangeles@waterboards.ca.gov and to USEPA Region 9 via kozelka.peter@epa.gov and R9NPDES@epa.gov.

HEARING PROCEDURE

The Board meeting, of which this hearing is a part, will start at 9:00 a.m. Interested persons are invited to attend. When the agenda item is called, EPA's public hearing officer will read a statement to open the hearing, then Los Angeles Water Board staff will present the matter under consideration, after which oral statements from parties or interested persons will be heard. For accuracy of the record, all important testimony should be in writing. The Board will include in the administrative record written transcriptions of oral testimony that is actually presented at the hearing. Oral testimony may be limited to three minutes or less for each interested person, depending on the number of interested persons wishing to be heard.

Parties or interested persons with similar concerns or opinions are encouraged to choose one representative to speak and are encouraged to coordinate their presentations with each other. Parties will be advised after the receipt of public comments, but prior to the date of the hearing, of the amount of time each is allocated for presentations. That decision will be based upon the complexity and number of issues under consideration, the extent to which the parties have coordinated, the number of parties and interested persons anticipated, and the time available for the hearing. The parties are invited to contact staff not later than **September 29, 2022**, (two weeks prior to the hearing) to discuss how much time they believe is necessary for their presentations, and staff will endeavor to accommodate reasonable requests. At the conclusion of testimony, the Board will deliberate in open or close session, and render a decision.

The Board meeting does not generally require the prior identification of witnesses, the cross examination of witnesses, or other procedures not specified in this notice. Parties or persons with special procedural requests or requests for alternative hearing procedures should contact staff, who will endeavor to accommodate reasonable requests. Objections to any procedure to be used during this hearing must be submitted in writing no later than close of business 15 business days prior to the date of the hearing. (Any objections related to the amount of time allocated for parties' presentations must be submitted within two business days of notice thereof, if that date is less than 15 business days before the hearing.) Absent such objections, any procedure not specified in this hearing notice will be waived pursuant to section 648(d) of title 23 of the California Code of Regulations. Procedural objections will not be entertained at the hearing.

Since this is a joint hearing with the USEPA, the Los Angeles Water Board will not be adopting the NPDES permit during the October 13, 2022, meeting and will formally act on the permit at a subsequent Board meeting. Upon issuance of a final permit decision and response to comments, the USEPA Region 9 and Los Angeles Water Board will notify the applicant and persons who submitted written comments or requested notice of the final permit decision. When a final permit is issued, it will become effective at least 33 days following the date it is mailed to the permittee, unless a request for review is filed. Persons filing a request for review must have filed comments on the draft permit

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or participated in the public hearing on this matter, except as provided for by 40 CFR 124.19.

If there should not be a quorum on the scheduled date of this meeting, all cases will be automatically continued to the next scheduled meeting on **November 10, 2022**. A continuance will not extend any time set forth herein.

Date: August 30, 2022